

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

# PCT

To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

### FOR FURTHER ACTION

See paragraph 2 below

International application No.  
PCT/GB2004/001778

International filing date (day/month/year)  
23.04.2004

Priority date (day/month/year)  
25.04.2003

International Patent Classification (IPC) or both national classification and IPC  
H04N5/217

Applicant  
LAND INSTRUMENTS INTERNATIONAL LIMITED

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

10/554140  
JC12 Rec'd PCT/PTC 20 OCT 2005  
International application No.  
PCT/GB2004/001778

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language —, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material:  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing:  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/001778

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**Box No. II Priority**

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1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	2-24,26,27,29-37
	No: Claims	1 25 28
Inventive step (IS)	Yes: Claims	
	No: Claims	1-37
Industrial applicability (IA)	Yes: Claims	1-37
	No: Claims	

2. Citations and explanations

**see separate sheet**

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**Box No. VI Certain documents cited**

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1. Certain published documents (Rules 43*bis*.1 and 70.10)

and /or

2. Non-written disclosures (Rules 43*bis*.1 and 70.9)

**see form 210**

**Re Item V.**

1 The following documents are referred to in this communication:

~~D1: GB 1 014 769 A (BARNES ENG CO) 31 December 1965 (1965-12-31)~~

D2 : RING F J: "Criteria for thermal imaging in medicine" ENGINEERING IN  
MEDICINE AND BIOLOGY SOCIETY, 1995., IEEE 17TH ANNUAL  
CONFERENCE MONTREAL, QUE., CANADA 20-23 SEPT. 1995, NEW  
YORK, NY, USA, IEEE, US, 20 September 1995 (1995-09-20), pages 1697-  
1698, XP010214992 ISBN: 0-7803-2475-7

The document D3= US-A-6127679 was not cited in the international search report. A  
copy of the document is appended hereto.

**1. Novelty**

Document D1 discloses a method of generating a quantitative thermal map of a  
scene, the method comprising (Claim 1):

positioning a first heat source of known temperature and emissivity within the  
scene;

imaging the scene using a thermal imaging device; and

generating a calibrated temperature map of the scene, based on the known  
temperature of the heat source.

Therefore, the subject-matter of Claim 26 and corresponding system Claim 1 as  
well as Claim 28 is not new (Article 33.2 PCT).

**2. Dependent claims**

D1 discloses also the use of a plurality individually temperature-controlled  
reference sources: Therefore, the subject-matter of Claim 2 is not new (Article 33.2  
PCT).

Claims 3-5 disclose the use of different means in order to measure the  
temperature of the heat sources. However, the skilled person knows that these means  
are standard means in order to measure the temperature. Therefore, the subject-  
matter of claims 3-5 doesn't involve an inventive step (Article 33.3 PCT).

D3 discloses the possibility of adjusting the temperature of the heat source by  
resistance heating means. Therefore, the subject-matter of Claim 5 and 6 doesn't  
involve an inventive step (see D3, col.2, lines 32-36). D4 discloses also a device

adjusting the heat source operating on the Peltier principle (col.2, lines 20-23).  
Therefore, the subject-matter of Claim 8 doesn't involve an inventive step.

Dependent claims 9-18 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows: D3 discloses also the calibration of an array of photon detectors using a computer for different adjustments and correction factors calculation.

D2 discloses also the use of a thermal imager in medicine where the target object is a living subject, i.e. a human. Therefore, dependent claims 19-25 don't involve an inventive step (Article 33.3 PCT).

Claims 27,29-37 are method claims corresponding to the previously mentioned system claims. Therefore, the subject-matter of claims 27,29-37 doesn't involve an inventive step (Article 33.3 PCT).

**Re Item VI**

**Certain documents cited**

**Certain published documents**

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
PCT/GB03/00923	18/09/2003	04/03/2003	8/03/2002